IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.932 OF 1998

Manmohan Sharma and Anr. ..Petitioners

Vs.

State of Maharashtra and Ors. ..Respondents

...

Mr.M.P.Vashi counsel for Petitioners.
Ms.M.Kajale AGP for Respondent No.1
None for Respondent Nos.2 and 3

...

**CORAM: DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

**DATE : DECEMBER 14, 2006**

**P.C.**

1. Heard Mr.M.P.Vashi, the learned counsel for the Petitioners and Ms.Kajale, the learned A.G.P. for Respondent No.1. None present for Respondent Nos.2 and 3.

2. The main grievance of the Petitioners is that the Petitioners are having educational qualification of B.A. and B.Ed. It appears that both the Petitioners have obtained B.A. degree attending the regular college. However, the degree of B.Ed. was obtained by both the Petitioners

through correspondence course from the M.D. University Rohtak, State of Haryana. Both the Petitioners right now are working as junior lecturers in the junior college of Respondent Nos.2 and 3. The basic issue involved in this petition is whether the B.Ed. degree obtained by both the Petitioners by correspondence course from M.D.University, Rohtak, could be treated as a regular B.Ed. degree in the sense whether the Petitioners are qualified to hold the post of lecturer in the said junior college.

3. Mr.M.P.Vashi, the learned counsel for the Petitioners produced before us the correspondence. The learned A.G.P. also produced letter issued by Director of Education dated 15.6.1995. Having regard to the facts and circumstances of this case, the Deputy Director of Education, State of Maharashtra being Respondent No.1 to decide whether both the Petitioners are having valid B.Ed. degree for the purpose of being appointed as junior lecturer with the Respondent No.2 college. Petitioners are entitled to furnish all the relevant documents before the said Deputy Director of Education. The Deputy Director of Education, State of Maharashtra, after hearing the

Petitioners, shall decide the said issue as expeditiously as possible preferably within a period of six months from today. In the meantime, interim order passed by this Court on 6th May, 1998 shall continue. It is also made clear that all the issues raised in this petition, are kept expressly open.

4. Both the Petitioners shall appear before the said Deputy Director of Education, State of Maharashtra, on 15th January, 2007 at 11.00 a.m. with all the respective submissions and documents to enable the Deputy Director to fix a schedule of hearing and decide the same expeditiously.

5. Writ Petition stands disposed of accordingly.

[DR.S.RADHAKRISHNAN, J.]

[SMT.V.K.TAHILRAMANI,J.]